

THE HON. JOHN C. COUGHENOUR

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

WILLIAM G. MOODIE and JAMES W.
WATERMAN, on behalf of themselves and
all others similarly situated

Plaintiffs,

vs.

REMINGTON ARMS COMPANY, LLC.,
SPORTING GOODS PROPERTIES, INC.
and E.I. DU PONT DE NEMOURS AND
COMPANY

Defendants.

CASE NO. 2:13-cv-00172-JCC

**JOINT SUPPLEMENTAL BRIEF
REGARDING CHOICE OF LAW**

JOINT SUPPLEMENTAL BRIEF REGARDING CHOICE OF
LAW
(2:13-cv-00172-JCC)

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1 On April 1, 2013, Remington Arms Company, LLC, Sporting Goods Properties, Inc., and
2 E.I. du Pont de Nemours & Company (“Defendants”) filed a motion to dismiss all claims
3 asserted by Plaintiffs William Moodie and James Waterman (“Plaintiffs”). (Dkt. No. 40). For
4 purposes of the motion, Defendants applied Washington law to the claims of Plaintiff Moodie
5 and North Carolina law to the claims of Plaintiff Waterman. Plaintiffs did not dispute the
6 propriety of applying these states’ laws to Plaintiffs’ respective claims in their opposition to
7 Defendants’ motion. (Dkt. No. 54.)

9 In accordance with the Court’s June 13, 2013 order (Dkt. No. 58), Defendants and
10 Plaintiffs (“the Parties”) now submit this joint supplemental brief asserting their position on
11 which states’ laws apply to the two named Plaintiffs’ claims. The Parties agree that because
12 Moodie both purchased his rifle in Washington and resides in Washington, that state has the
13 most significant relationship to his claims and thus its law should apply to them. In contrast,
14 because Waterman both purchased his rifle in North Carolina and resides in North Carolina, that
15 state has the most significant relationship to his claims and thus its law should apply to them.
16 Because other putative class members are not yet parties to this action and thus are not the
17 subject of Defendants’ motion to dismiss, the Parties take no position with respect to the law that
18 may apply to their claims .
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DATED this 8th day of July, 2013.

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CERTIFICATE OF SERVICE

The undersigned certifies that under penalty of perjury under the laws of the State of Washington that on the below date I caused to be served the foregoing document via CM/ECF on all counsel of record.

SIGNED this 8th day of June, 2013, at Seattle, Washington.

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